

REMARKS

Claim 2 has been amended to include the recitations of claim 19 and claim 19 has been canceled. Claim 2 has also been amended for clarity to recite that the squeegee rubber composition layer comprises a rubber component. See also Applicants' Specification, page 6, lines 16-20. Entry of the instant amendment is respectfully requested in that it does not raise new issues for consideration as the subject matter of claim 19 was previously before the Examiner for consideration and the amendment clarifies the claims and places them in better form for consideration on appeal. As discussed in further detail below, a Declaration under 37 C.F.R. § 1.132 is filed concurrently herewith. It was believed that the Amendment filed December 21, 2004 adequately responded to the outstanding rejections, however, surprisingly, the rejection was maintained, necessitating the submission of further comparative data. Therefore, Applicants respectfully submit that the requisite showing of a good and sufficient reason why the evidence is necessary and was not earlier presented has been met and entry and consideration of the 132 Declaration is requested. Further, Applicants respectfully submit that the instant amendment and 132 Declaration overcomes all of the rejections of record.

Upon entry of the Amendment, claims 2 and 16 are pending in the application.

Claims 2 and 19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Fukuhara, JP 2000-171115 ("Fukuhara").

Claims 2 and 19 have been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over Mori, JP 08027333, further in view of Fukumoto, JP 61060302 ("Fukumoto"), or in the alternative over Fukumoto further in view of Mori.

Claim 16 has been rejected under 35 U.S.C. § 103(a) over Fukuhara further in view of Kobayashi, Nosu, and the “admitted” Prior Art.

Claim 16 has been rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable over either one of (a) Mori in view of Fukumoto or (b) Fukumoto in view of Mori, as applied in claim 2 above, and further in view of Kobayashi, Nosu, and the “admitted” prior art (page 5, lines 13-15).

Applicants respectfully submit that the present invention is not rendered obvious over the disclosures of Mori further in view of Fukumoto, Fukumoto further in view of Mori; Fukuhara in view of Kobayashi, Nosu, and the “admitted” Prior Art; Mori in view of Fukumoto, or Fukumoto in view of Mori further in view of Kobayashi, Nosu, and the “admitted” prior art and request that the Examiner reconsider and withdraw these rejections in view of the following remarks.

Fukuhara discloses a coating rubber composition embedded with steel cords and containing a specific water-resistant acid acceptor such as a hydrotalcite mineral in order to deactivate the metal salt of organic acid for the purpose of enhancing the endurance of the rubber-to-steel cord adhesion.

However, Fukuhara does not teach or suggest compounding an inorganic filler, such as a hydrotalcite, into a squeegee rubber composition. As described on page 5, lines 18-30, of Applicants’ specification, when a larger amount of a water-resistant acid acceptor, such as hydrotalcite, is incorporated into the coating rubber composition, the hydrotalcite captures sulfur and a vulcanization promoter in the coating rubber composition during the vulcanization, thereby failing to sufficiently improve both the initial adhesion and the resistance to adhesion loss.

To illustrate the point above, Applicants submit a Declaration under 37 C.F.R. § 1.132 herewith, which shows that the tires of the present invention unexpectedly exhibit much more improved initial adhesion and resistance to adhesion loss than those of Fukuhara.

With respect to claim 16, the examiner states that it is obvious to incorporate calcined hydrotalcites disclosed in Kobayashi or Nosu into the rubber composition disclosed in Fukuhara. However, Applicants submit that Kobayashi only describes incorporating a calcined hydrotalcite into a halogen-containing acrylic rubber composition and Nosu only discloses incorporating a hydrotalcite, whose water of crystallization has been removed by heating, into a halogen-containing resin. As both of the disclosures of Kobayashi and Nosu are related to a halogen-containing polymer composition, and are not related to a coating rubber composition such as disclosed in Fukuhara, which mainly comprises natural rubber and/or synthetic isoprene rubber, Applicants submit that one of ordinary skill in the art would not have combined the teachings of Kobayashi or Nosu with those of Fukuhara.

Additionally, with respect to combining the teachings of Fukumoto and Mori, Applicants respectfully submit that Fukumoto discloses a two-inner-liner-layer-structure having an inner liner layer 5b at the carcass side comprising 100 parts by weight of rubber component containing natural rubber in amount of 50% by weight or more, 2 to 8 parts by weight of sulfur, 0.5 to 5 parts by weight of a cobalt salt of organic acid and an innermost inner liner layer 5a comprising a rubber component containing a halogenated butyl rubber in amount of 50% by weight or more and no cobalt salt of organic acid, while Mori describes rubber compositions comprising 100 parts by weight of a chlorinated butyl rubber and 0.1 to 30 parts by weight of a hydrotalcite compound in order to prevent the scorch of the rubber composition.

Accordingly, Applicants submit that one of ordinary skill in the art may have found it obvious to try to incorporate a hydrotalcite compound mixed in a halogenated butyl rubber composition, as disclosed in Mori, into the innermost inner liner layer 5a of Fukumoto, which comprises a halogenated butyl rubber. However, it would not have been obvious to one of ordinary skill in the art, from the teachings of the art of record, to incorporate a hydrotalcite compound, which is taught to be mixed in a halogenated butyl rubber composition as disclosed in Mori, into an inner liner layer 5b of Fukumoto at the carcass side comprising mainly natural rubber.

Further, Applicants respectfully submit that it would not have been obvious to one skilled in the art, from the teachings of the art of record, to incorporate a cobalt salt of an organic acid, which is taught to be mixed in the inner layer 5b of Fukumoto at the carcass side comprising mainly natural rubber, into the halogenated butyl rubber composition disclosed in Mori.

For the reasons stated above, Applicants submit that the presently claimed invention would not be obvious over Fukuhara, JP 2000-171115 (“Fukuhara”), over Mori, JP 08027333, further in view of Fukumoto, JP 61060302 (“Fukumoto”), or in the alternative over Fukumoto further in view of Mori, over Fukuhara further in view of Kobayashi, Nosu, and the “admitted” Prior Art, or over either one of (a) Mori in view of Fukumoto or (b) Fukumoto in view of Mori, as applied in claim 2, and further in view of Kobayashi, Nosu, and the “admitted” prior art (page 5, lines 13-15). Based on the foregoing, Applicants respectfully request that the Examiner reconsider and withdraw the rejections.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the

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Amendment under 37 C.F.R. § 1.116

Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,


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